GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Guntur Municipal Corporation – Allegations of according building permission in violation of Master Plan, land use and zoning regulations in Guntur Municipal Corporation - Disciplinary Proceedings initiated against Sri M.Narayana Rao, former TPBO, Guntur Municipal Corporation under Rule-20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 - Charges framed - Inquiry conducted – Imposition of a penalty of " reduction of pay by three stages in the time scale " – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.192

Dated.14.02.2024.
Read the following:

1. From Lr.Roc.No.12369/2013/M2, dated.14.03.2014 of DTCP, A.P., Guntur.
2. G.O.Rt.No.699, M.A.& U.D.(Vig.II)Dept., dated.21.08.2014.
3. WSD of Sri M.Narayana Rao, former TPBO dated.19.11.2014.
4. G.O.Rt.No.336, M.A. & U.D. (Vig.II) Department, dt:06.06.2016.
5. GO.Rt.No.484, MA&UD(Vig.II) Dept., dt.05.08.2019.
6. Inquiry Report received through Lr.Roc.No.957111/2021/M2, dtd .01.12.2021 of DTCP.
7. Govt.Memo.No.5875/Vig.II/2014, dt.04.03.2022.
8. Written representation of Sri M.Narayana Rao, former TPBO,dtd.16.05.2022
9. G.O.Ms.No.124, G A (SER.A) Dept., dt.04.12.2023.

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O R D E R:-

Whereas in the reference 1st read above, the Director of Town & Country planning, A.P., while forwarding a copy of the report of RDDTP, Guntur related to the lapses committed by the Town planning staff while their offication at Guntur Municipal Corporation along with draft article of charges, has requested to take departmental action against Sri M.Narayana Rao, former TPBO and others of Guntur Municipal Corporation.

2. In the reference 2nd read above, Article of Charges were framed against Sri M.Narayana Rao, former TPBO, Guntur Municipal Corporation and directed him to submit written statement of defence under Rule 20 of APCS (CCA) Rules, 1991.

3. In reply, the charged officer submitted his written statement of defence, vide reference 3rd read above. After following due procedure, the Government appointed Sri V.Ramudu, Director, APCRDA as Inquiry Officer, vide reference 4th read above. Subsequently, Sri K.Dhanunjaya Reddy, Joint Director of Town Planning, APCRDA, Vijayawada, has been appointed as an Inquiry Officer to inquire into the charges framed against Sri M.Narayana Rao, former TPBO, Guntur Municipal Corporation vide reference 5th read above.

4. The Inquiry Authority conducted inquiry into the charges framed against the said charged officer and submitted his report, vide reference 6th read above. The Inquiry Authority held that out of (3) charges, (1) Charge was proved and (2) Charges not proved.

5. Government have examined the findings of the Inquiry Authority and observed that the findings of Inquiry Authority that the Charged officer Sri M. Narayana Rao, former TPBO., by oversight recommended the building under Residential area instead of Public and semi public Zone cannot be accepted, since he is a field level authority and

(P.T.O)

it is his main responsibility. Based on his recommendation only, the higher ups simply accepted the said recommendation without verification and the said charge against the higher ups held proved. Hence, the charges against him are held proved. Accordingly, after due procedure, a copy of inquiry report along with said disagreement factors was communicated to the charged officer Sri M. Narayana Rao, former TPBO, Guntur Municipal Corporation with a direction to submit his written representation if any, on the findings of the Inquiry Officer and the disagreement factors concerned, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991 vide reference 7th read above.

6. In reply, the Charged officer submitted his written representation vide reference 8th read above stating that he recommended for approval duly mentioning that the site/proposed Building in question falls in Residential Zone instead of Public and Semi Public Zone by oversight but not intentionally. His Higher officers have supervisory powers to recommend or refuse his remarks. They have recommended duly verifying the connected documents and master plan. However, the subject building is authorized one due to Regularization as per Govt. orders. At this stage, there is no provision to take any action on the Building on the allegation of improper permission. Hence, he has requested to review on disagreement factors and to drop further action in the matter.

7. Government have examined the written representation of the charged officer and observed that mere regularization of building under BPS cannot absolve the charged officers from the charges. The Charged Officers failed to take action in demolition of deviated portion, but issued only notices which led to regularization under B.P. Scheme. As such the written representation of the C.O. is not convincing.

8. Govt. after careful examination of the matter, keeping in view of the findings of Inquiry Authority, the disagreement factors observed thereafter and the written representation of the C.O. , have decided to impose a penalty of " reduction of pay by three stages in the time scale " against Sri M. Narayana Rao, former TPBO, Guntur Municipal Corporation; as he had recommended that the said land falls under Residential use zone duly violating the Master Plan Land use and Zoning Regulations of Guntur Municipal Corporation. But the land in question falls under Public & Semi Public use Zone as per Guntur Zonal Development Plan.

9. Accordingly, the Government hereby impose a penalty of "reduction of pay by three stages in the time scale" against Sri M. Narayana Rao, former TPBO, Guntur Municipal Corporation.

10. The Director of Town & Country Planning, A.P., Mangalagiri, shall take necessary further action in the matter accordingly.

11. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M. Narayana Rao, former TPBO,
Guntur Municipal Corporation - **through** the DTCP, A.P., Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.
Copy to:
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.